

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT NEBRASKA**

**MARTY JORDAN,**

**Plaintiff,**

**VS.**

**BNSF RAILWAY CO., d/b/a THE  
BURLINGTON NORTHERN &  
SANTA FE RAILWAY CO.,**

**Defendant.**

**Case No.: 4:05CV3104**

## ORDER

This matter comes before the Court upon the Defendant's Motion for Extension of Time in Which File a Motion for Summary Judgment, filing 28. The Court being fully apprised in the premises hereby finds that Defendant's Motion should be granted and therefore is sustained.

Accordingly, Defendant is given an extension of time in which to file a motion for summary judgment until November 11, 2005.

DATED this 31<sup>st</sup> day of October, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester

United States Magistrate Judge